

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61820 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- ANDHRAMATH District- Madhubani

1. NERAJ KUMAR YADAV SON OF RAM NARESH YADAV RESIDENT OF VILLAGE - NARENDRAPUR, POLICE STATION - ANDHRAMATH, DISTRICT - MADHUBANI
2. JITENDRA KUMAR YADAV SON OF RAM NARESH YADAV RESIDENT OF VILLAGE - NARENDRAPUR, POLICE STATION - ANDHRAMATH, DISTRICT - MADHUBANI

... .. petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Sections 21 and 27 of the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of 5 liters of codeine Cough Syrup (each bottle of 100ml) and other incriminating articles from the house of the petitioners.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the petitioners



have no concern with the seized articles. The provision of Section 100 of the Cr.P.C. and Section 50 of the N.D.P.S. Act have not followed in this case. No incriminating articles have been recovered from the conscious possession of these petitioners. Petitioners have not no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 28.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail **after framing of charge, if not framed**. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Andhramath P.S. Case No. 97 of 2023.

(Sunil Kumar Panwar, J)

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